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ABSTRACT

This study discusses a questionnaire concerning a proposed New Jersey law which would proscribe sexually oriented publications from sale to persons under eighteen years of age. The questionnaire was sent to New Jersey psychiatrists and psychologists. A copy of the proposed legislation, a copy of the questionnaire and the letter accompanying the questionnaire, tabular results of the survey, some selected signed and unsigned written responses to the questionnaire, and a summary of the data are included in the study. Most of the respondents felt that the reasons for passing the legislation were invalid. Some of the conclusions of the survey were that: (1) only 1.48 percent of the respondents saw a statistically significant relationship between antisocial behavior and exposure to sexually oriented publications; (2) about 60 percent of the respondents felt that the availability of the publications minimized antisocial behavior by providing a vicarious outlet; and (3) 80 percent of the respondents felt that the removal of such materials by the state would not be beneficial in encouraging a healthy and accurate view of sex by the younger person. (Author/DI)

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A Survey

OF NEW JERSEY PSYCHIATRISTS AND PSYCHOLOGISTS PERTAINING TO THE PROSCRIPTION BY LEGISLATION OF SEXUALLY ORIENTED PUBLICATIONS FOR PERSONS UNDER 18 YEARS

FINAL REPORT

January 1967

Published by the

NEW JERSEY COMMITTEE
FOR THE RIGHT TO READ

$1.00

AS 000 514

INTRODUCTION

The type of censorship that is most conspicuous today derives from the premise that exposure of youth to sexually oriented publications, of itself, induces delinquency and crime in this age group, and in a broad sense, the presence of such materials plays a decisive part in the anti-social behavior of all persons, adults as well as youth. This belief is expressed by Dr. William P. Riley, member of the Citizens' Anti-Pornography Commission in New York, who stated:

> "I am certain that a vast majority of my fellow physicians agree that habitual reading of obscene literature and viewing smutty entertainment especially by impressionable children and young people, result in anti-social action. The effect may not be immediate, it may be tomorrow or years from now. That what an immature person reads, sees, ponders, and absorbs affects his character and hence his behavior is so obvious that it is not open to question."

To the contrary are those who believe that this cause-effect relationship between obscenity and anti-social behavior is indeed open to question. In his book, *Comstockery in America*, Robert Haney explains:

> "When a law seeks to control obscenity by determining how literature will affect the normal members of the society, it is guessing blindfolded. Patterns of response change rapidly and vary widely from group to group. Within any society that can contain a number of different and often incompatible cultural groups, there can be no agreement on what *for that society* is obscene . . . . Obscenity is all things to all men. As such, it is hardly adequate as a standard of criminal or civil law."[2]

Mr. Haney, in a subsequent discussion of pornography as it relates to anti-social behavior, observes:

> "It is in terms of effect alone that pornography can be seriously discussed, yet the relationship between reading and alteration of behavior is very difficult to pinpoint . . . There simply is not scientifically obtained information to support any theoretical analysis of the effects of mass media. Such evidence as does exist suggests that the effects are far less serious than is popularly supposed."[3]

The above statements exemplify the disaccord which is manifest by the conclusions of persons who have addressed their concern to this issue. The major reason for this discrepancy is the dearth of scientifically reliable evidence applicable to this area of human behavior. In culling available literature on this subject, the most noteworthy objective study found by the NJCRR was the recent Kinsey study of sex offenders. This report, [4] which is based on a 25 year study, revealed that of the 2,721 men studied there was not a single case of an offense having been committed as the result of exposure to reading material. Dr. Paul Gebhard of the Kinsey Institute, summarizing the study for *The Ladies Home Journal*, noted:

"As the Institutes previous studies have shown, pornography of all kinds is mostly read and enjoyed by men of more than average intelligence and with vivid imaginations. The men in prison for sexual offenses, on the other hand, turned out to be men of rather low intelligence and imagination. Their disinterested and indeed scornful attitude toward pornography was perhaps best summed up by one fairly typical prisoner who told me, 'You can't do nothin' with a pitcher.' "[5]

In light of these divergent views, the NJCRR decided to poll New Jersey psychiatrists and psychologists with respect to the implications of New Jersey Assembly Bill 768 (reproduced in Appendix[2]). A preliminary draft of the questionnaire was submitted to several psychiatrists and psychologists for evaluation. Their suggestions were incorporated in the final form of the questionnaire wherever possible. The questionnaire and the letter that accompanied it are shown in Appendix [3] and [4]. The questionaire was sent to all psychiatrists listed in the *Directory of Biographical Information of Members and Fellows of the American Psychiatric Association*, 1963 in New Jersey and 546 psychologists listed in the *Directory: American Psychological Association*, 1965. All New Jersey psychologists holding doctoral degrees and a large sample of non-industrial psychologists were included. Responses to the survey were received from 17.6% of the psychiatrists and 27.2% of the psychologist who received questionnaires.

The results of this survey are tabulated in the following tables. The main area of the psychiatrist's or psychologist's professional activity, as listed in the tables, was obtained from information entered on the questionnaire and is the respondent's evaluation of this aspect of his professional pursuit.

Following the tables is a brief summary of the data.

1. O. K. Armstrong, "The Damning Case Against Pornography", READER'S DIGEST, December, 1965, p. 133.

2. Robert Haney, *Comstockery in America*, Boston: Beacon Press, 1960, p. 49.

3. *Ibid.* p. 69

4. Gebhard, et al, *Sex Offenders: An Analysis of Types*, Harper & Row, 1965.

5. Dr. Paul Gebhard, "The 1965 Kinsey Report: Our Dangerous Sex Laws", LADIES HOME JOURNAL, May 1965, p. 64.

QUESTION 1

In your own practice have you ever had a patient (patients) whose behavior was otherwise within a normal range, who was (were) provoked into anti-social behavior primarily as a result of exposure to sexually oriented literature?

Yes ..... No .....

If your answer to the above is yes, will you tell us if you regard the incidence of such cases to be statistically significant? .....

PSYCHIATRISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	9	2	7		
Children	3		3		
Mixed	28	1	25	1	1
Adults and Teens	11	1	10		
Educators	1		1		
Retired	1		1		
Neuropsychiatrists	1		1		
Mental Hospital	8	5	2	1	
Total	62	9	50	2	1
Percent 62/352	17.6%	14.5%	80.6%	3.2%	1.6

Statistically Significant Incidence .....2 yes

PSYCHOLOGISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	6		6		
Children	21	1	19	1	
Mixed	57	1	55	1	
Adults and Teens	9		9		
Retarded	2		2		
Educators	14		8	5	1
School Psychologists	10		9	1	
Research	16		7	9	
Mental Hospital	6		6		
Total	141	2	121	17	1
Percent 141/519	27.2%	1.4%	85.8%	12%	.7%

Statistically Significant Incidence .....1 yes

TOTAL COMBINED RESPONSE

	Number of Responses	Yes	No	Unanswered	Qualified
Total	203	11	171	19	2
Percent 203/871	23.3%	5.4%	81.3%	9.4%	1%

Statistically Significant Incidence 1.48%

QUESTION 2

Do you believe that sexually oriented materials of the general variety described in A-768 might have a value for some individuals, and might in these cases serve to minimize anti-social behavior by providing a vicarious outlet? Yes.....No. .....

PSYCHIATRISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	9	6	2	1	
Children	3	3			
Mixed	28	11	11	5	1
Adults and Teens	11	10			1
Educators	1		1		
Retired	1		1		
Neuropsychiatrist	1		1		
Mental Hospital	8	2	4	1	1
Total	62	32	20	7	3
Percent 62/352	17.6%	51.6%	32.3%	11.3%	4.8%

PSYCHOLOGISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	6	5	1		
Children	21	18		2	1
Mixed	57	36	13	8	
Adults and Teens	9	3	5		1
Retarded	2	1	1		
Educators	14	8	4	2	
School Psychologists	10	4	3	3	
Research	16	8	4	4	
Mental Hospital	6	5	1		
Total	141	88	32	19	2
Percent 141/519	27.2%	62.4%	22.7%	13.5%	1.4%

TOTAL COMBINED RESPONSE

	Number of Responses	Yes	No	Unanswered	Qualified
Total	203	120	52	26	5
Percent 203/871	23.3%	59.1%	25.6%	12.8%	2.5%

QUESTION 3

Do you believe that the official exclusion or separation of such materials in libraries and retail stores will be beneficial in encourag'ng a healthy and accurate view of sex by the young person? Yes.....No.....

PSYCHIATRISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	9		7	2	
Children	3		3		
Mixed	28	7	19	1	1
Adults and Teens	11	1	10		
Educators	1		1		
Retired	1	1			
Neuropsychiatrists	1		1		
Mental Hospital	8	6		1	1
Total	62	15	41	4	2
Percent		24.2%	66.1%	6.4%	3.2%

PSYCHOLOGISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	6		6		
Children	21	2	19		
Mixed	57	3	51	2	1
Adults and Teens	9		9		
Retarded	2		2		
Educators	14	3	9	2	
School Psychologists	10		9	1	
Research	16	2	11	3	
Mental Hospital	6		6		
Total	141	10	122	8	1
Percent		7.1%	86.5%	5.7%	.7%

TOTAL COMBINED RESPONSE

	Number of Responses	Yes	No	Unanswered	Qualified
Total	203	25	163	12	3
Percent		12.3	80.3%	5.9%	1.5%

QUESTION 4

Do you believe the passage of such legislation would contribute to the general improvement of mental health in juveniles? Yes..... No.....

PSYCHIATRISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	9	1	6	2	
Children	3		3		
Mixed	28	6	20	2	
Adults and Teens	11		11		
Educators	1		1		
Retired	1				1
Neuropsychiatrist	1		1		
Mental Hospital	8	7		1	
Total	62	14	42	5	1
Percent		22.6%	67.7%	8.1%	1.6%

PSYCHOLOGISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	6		6		
Children	21	1	19	1	
Mixed	57	3	53	1	
Adults and Teens	9		9		
Retarded	2		2		
Educators	14	2	10	2	
School Psychologists	10		8	1	1
Research	16	1	13	1	1
Mental Hospital	6		6		
Total	141	7	126	6	2
Percent		4.95%	89.1%	4.26%	1.42%

TOTAL COMBINED RESPONSE

	Number of Responses	Yes	No	Unanswered	Qualified
Total	203	21	168	11	3
Percent		10.3%	82.8%	5.4%	1.5%

QUESTION 5

Do you think that the official concealment of sexular and anatomical information might tend to promote a pathological degree of curiosity and injudicious experimentation in the inexperienced? Yes.....No.....

PSYCHIATRISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	9	7	2		
Children	3	1	2		
Mixed	28	16	9	3	
Adults and Teens	11	6	5		
Educator	1	1			
Retired	1		1		
Neuropsychiatrist	1		1		
Mental Health	8	1	6	1	
Total	62	32	26	4	
Percent		51.6%	41.9%	6.5%	

PSYCHOLOGISTS

Professional Activity	Number of Responses	Yes	No	Unanswered	Qualified
Clinical					
Adults	6	6			
Children	21	15	4	1	1
Mixed	57	42	11	4	
Adults and Teens	9	5	3	1	
Retarded	2	1			1
Educators	14	6	7	1	
School Psychologists	10	5	5		
Research	16	8	5	2	1
Mental Hospital	6	5	1		
Total	141	93	36	9	3
Percent		66%	25.5%	6.4%	2.1%

TOTAL COMBINED RESPONSE

	Number of Responses	Yes	No	Unanswered	Qualified
Total	203	125	62	13	3
Percent		61.6%	30.5%	6.4%	1.5%

QUESTIONS 6 and 7

6. Do you believe there should be any limitations as to what reading material is available to persons under 18 years of age? Yes..... No.....

7. If your answer to the above is yes, do you think the limitations should be imposed by:

(1).....Determinations by local law enforcement officials
(2).....State or other Legislative action
(3).....Specially constituted mental health agencies
(4).....Librarians, teachers, other specia ists in literary values
(5).....Parental decisions within the family
(6).....Other.....

PSYCHIATRISTS

	Number Of Responses	Percent
6. No Limitations	15	24.2
7. Limitations Imposed By:		
(5) Parents only within the family	15	24.2
(4, 5) Parents, Librarians, Teachers, etc.	10	16.1
(3, 5) Parents, Mental Health Agencies	5	8.1
(3, 4, 5) Parents, Librarians, etc., Mental Health Agencies....	1	1.6
(4) Librarians, Teachers, Specialists in literary values.....	2	3.2
(2) State or Legislative Action	3	4.8
(2, 5) Legislative Action, Parents	3	4.8
(2, 4, 5) Legislative Action, Librarians, etc., Parents.....	1	1.5
(2, 3, 5) Legislative Action, Mental Health Agencies, Parents..	1	1.6
(1, 2, 5) Law Enforcement, Legislative Action, Parents	1	1.6
All 5 Working Together	1	1.6
Other	1	1.6
Added Qualifying Conditions	3	4.8

PSYCHOLOGISTS

	Number Of Responses	Percent
6. No Limitations	47	33.3
7. Limitations Imposed By:		
(5) Parents only within the family	54	38.3
(4, 5) Parents, Librarians, Teachers, etc	8	5.7
(3, 5) Parents, Mental Health Agencies	5	3.5
(3, 4, 5) Parents, Librarians, etc., Mental Health Agencies....	5	3.5
(4) Librarians, Teachers, Specialists in literary values	1	.7
(3) Mental Health Agencies	1	.7
(2) State or Legislative Action	1	.7
(2, 5) Legislative Action, Parents	5	3.5
(2, 3) Legislative Action, Mental Health Agencies	2	1.4
(2, 3, 4, 5) Legislative Action, Mental Health Agencies, Librarians, etc., Parents	2	1.4
All 5 Working Together	1	.7
All 5 Plus Communicati ns and Publishing Officials	1	.7
All 5 Plus Church Groups	1	.7
Other	1	.7
Added Qualifying Conditions	6	4.3

QUESTIONS 6 and 7 (continued)
TOTAL COMBINED RESPONSE

	Number Of Responses	Percent
6. No Limitations	62	30.5
7. Limitations Imposed By:		
(5) Parents only within the family	69	34.0
(4, 5) Parents, Librarians, Teachers, etc.	18	8.9
(3, 5) Parents, Mental Health Agencies	10	4.9
(3, 4, 5) Parents, Librarians, etc., Mental Health Agencies	6	3.0
(4) Librarians, Teachers, Specialists in literary values	3	1.5
(3) Mental Health Agencies	1	.5
(2) State or Legislative Action	4	2.0
(2,5) Legislative Action, Parents	8	3.9
(2,3) Legislative Action, Mental Health Agencies	2	1.0
(2, 4, 5) Legislative Action, Librarians, etc., Parents	1	.5
(2, 3, 5) Legislative Action, Mental Health Agencies, Parents	1	.5
(2, 3, 4, 5) Legislative Action, Mental Health Agencies, Librarians, etc., Parents	2	1.0
(1, 2, 5) Law Enforcement, Legislative Action, Parents	1	.5
All 5 Working Togetherr	2	1.0
All 5 Plus Communications and Publishing Officials	1	.5
All 5 Plus Church Groups	1	.5
Other	2	1.0
Added Qualifying Conditions	9	4.4
Total	203	

QUESTION 8

Pressures against obscenity are usually raised in the interest of youth. In your opinion, since state funds are to be appropriated, where may funds best be spent in the interest of improving "youth's" situation?

.....Eliminating Obscenity .....Other

PSYCHIATRISTS

Eliminating Obscenity	6
Other	
Alternative checked; no comment added	17
Education	10
Sex Education	5
Improve Mental Health Facilities	10
Special Education	2
Increase Recreational Activtiies	5
Mental Health Education	1
Parent Education	3
Programs For Healthy Social Behavior	1
Greater Opportunities for Youth	1
Job Training	2
Home, Church, School	1
Unanswered	7

QUESTION 8 (continued)

PSYCHOLOGISTS

Eliminating Obscenity	5
Other	
Alternative checked; no comment added	49
Education	17
Sex Education	20
Improve Mental Health Facilities	22
Special Education	1
Increase Recreational Activities	8
Mental Health Education	2
Parent Education	5
Greater Opportunities for Youth	2
Job Training	1
Opportunities for "Drop Outs"	3
Pre-School Programs	1
Research	5
Better Family Relations	1
Birth Control Pills for Girls Reaching Menses	1
Improved Reading Programs	3
Unanswered	10

TOTAL COMBINED RESPONSE

Eliminating Obscenity	11
Other	
Alternative checked; no comment added	66
Education	27
Sex Education	25
Improve Mental Health Facilities	32
Special Education	3
Increase Recreational Activities	13
Mental Health Education	3
Parent Education	8
Programs For Healthy Social Behavior	1
Greater Opportunities for Youth	3
Job Training	3
Opportunities for "Drop-Outs"	3
Pre-School Programs	1
Research	5
Better Family Relations	1
Birth Control Pills for Girls Reaching Menses	1
Improved Reading Programs	3
Home, Church, School	1
Unanswered	17

**Some respondents made more than one suggestion. Data are not totalled.*

SUMMARY

The tenor of the response to this survey is that the reasons for the passage of a law such as New Jersey Bill A-768 are invalid in the eyes of most psychiatrists and psychologists who responded to this request for information. It should be recognized that inherent in the approach the NJCRR employed in this survey is the contention that many of the questions that censorship raises should be addressed to the people most qualified to give answers; namely, the specialists in the science of human behavior. Briefly, their conclusions are as follows:

1. What first hand knowledge did these specialists report on the provocation of anti-social behavior primarily as a result of exposure to sexually oriented materials? How significant did they regard the incidence of such cases? Although 5.%4 of the respondents had encountered such a case (or cases), only 1.48% regarded the incidence statistically significant.

2. Might the availability of the publications described serve to minimize anti-social behavior by providing a vicarious outlet? Approximately 60% affirmed this contention.

3. Will the removal of such materials by the state be beneficial in encouraging a healthy and accurate view of sex by the younger person? 12% believe it would. More than 80% gave an unqualified NO to this question.

4. Approximately 83% of the mental health experts who replied believe that the passage of legislation such as A-768 would not contribute to the general improvement of mental health in juveniles. Since A-768 is quite similar to censorship bills which have been enacted or are under consideration by various state legislatures, this response has more than theoretical import.

5. Whereas 83% believed such legislation would not contribute to the improvement of mental health in juveniles, approximately 62% believed that the official concealment of sexual and anatomical information might tend to promote a pathological degree of curiosity and injudicious experimentation in the inexperienced.

6,7. Should there be any limitations as to what reading material is available to persons under 18 years of age? If so, who should impose limitations?

Of the psychiatrists, 24.2% felt there should be no limitations placed on reading material available to children under 18 years of age, 24.2% said limits should be placed by parents and 16.1% said by parents + librarians + teachers. Only 16% would include the state or law enforcement officials in partnership with parent and/or librarians and/or church in the judgement of what

children should read. In answer to the same question, 33.3% of the psychologists would place no limits on reading material for those under 18 years of age, 38.3% would have the parents set the limits for their own children, and 5.7% felt the task should fall to parents + librarians while only about 10% would have the state or law enforcement officials play any role whatsoever.

8. The emphasis of many respondents was towards education in general, sex education specifically, and improved mental health facilities as better ways to utilize state funds than to set up an expanded state censorship program. 5.4% favored appropriation of funds to eliminate obscenity in the interest of improving "youth's" situation. The great majority favored alternative programs.

9. Numerous questionnaires included comments on censorship in general, comments on this survey, comments on the effects of reading materials on adolescents and adults, etc. These remarks are found in Appendix 4.

One point that disturbed some of the professional people contacted in this study is that censorship of reading material for those under 18 results also in censorship for those over 18 years of age. In the Butler vs Michigan case of 1957, U. S. Supreme Court Justice Felix Frankfurter stated:

> "The state insists that this quarantining the general public against books not too rugged for grown men and women in order to shield juvenile innocense is exercising its power to promote the general welfare. Surely this is to burn the house to roast the pig . . . The incidence of this enactment is to reduce the adult population of Michigan to reading only what is fit for children."

It is the hope of the NJCRR that this survey will open the door to further studies on the effects of reading material on behavior. In view of the fact that segments of our society are urging increased censorship, we must know why this is necessary, what effect will censorship have on the various groups that make up this society, and will censorship cure the ills we are trying to eliminate.

APPENDIX 1

New Jersey Comittee for the Right to Read
P. O. Box 250
Caldwell, New Jersey

March 25, 1966

Dear Dr. .....:

Legislation is under consideration in Trenton which has general ramifications with respect to the mental health of juveniles. Specifically, it will establish new restrictions as to what publications persons under 18 may purchase, borrow or possess. Existing laws prohibit the distribution of "hard core" pornography for both adults and children; but the contemplated legislation will enlarge the area that is now legally restricted by re-defining what is considered obscene (and illegal) for persons under 18.

In the last legislative session, Governor Hughes gave a qualified veto to two obscenity bills. These are now in the process of revision by the new legislature so that they may conform to the suggestions made in the Governor's veto message. S-32, which has just been introduced, recommends a higher appropriation and a larger commission than A-404, its predecessor. A-768 (enclosed) is being revised to better meet tests of constitutionality, as the Governor requested.

There is a polarization of views on the justification for such legislation. One viewpoint relies heavily upon the testimony of law enforcement officials and others who believe that a direct causal relationship exists between reading certain publications and anti-social behavior; Mr. J. Edgar Hoover is much quoted to give credence to this position. Opposed to this view are those who assert that no objective evidence exists to support the acceptance of such a causal relationship, and that legislation in this area can only be justified if a "clear and present danger" from these materials can be established. Those holding this view claim support from the recent Kinsey Institute study, which found a negative, rather than a positive correlation, between interest in pornography and sex crimes; and the Glueck (Harvard) study, which demonstrated that patterns of anti-social behavior are largely determined by familial inadequacies.

The New Jersey legislature, in framing its legislation, has relied to date entirely upon the proponents of the law enforcment viewpoint for testimony. No testimony has been sought from the mental health or education communities. In an attempt to compensate for this void, this survey hopes to record the relevant conclusions of New Jersey psychologists and psychiatrists.

Recognizing that your time is overcommitted, the questions have accordingly been framed for "yes" or "no" answers. We hope, however, that you will not feel circumscribed to so limit yourself, and will give us the benefit of any additional comments you wish to make on the back of the questionnaire, or on other sheets.

We wish to thank Dr. Natalie Mann, Dr. Irving Markowitz, Dr. Harry Rockberger, and Drs. Joan and Richard Taylor for their help in forming our questionnaire.

Yours very truly,

John Hall

John Hall, Research Chairman

APPENDIX 2

ASSEMBLY No. 768

STATE OF NEW JERSEY

INTRODUCED MAY 17, 1965

By Assemblywoman HUGHES, Assemblyman MUSTO, Assemblywoman KORDJA, Assemblymen CURRY, BRIGIANI, LYNCH, McGANN, MARAZITI, KEEGAN, SEARS, Assemblywoman HIGGINS, Assemblymen DOREN, TANZMAN, HALPIN, POLICASTRO, ADDONIZIO and BURKE.

(Without Reference)

AN ACT relating to obscenity with relation to the exposure, sale, loan, gift or distribution of certain publications, photographs, films and other materials to children under 18 years of age, and supplementing chapter 115 of Title 2A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. As used in chapter 115 of Title 2A of the New Jersey Statutes and chapter 166 of the laws of 1962, the word "obscene," with relation to the exposure, sale, loan, gift or distribution of items or materials to a child under 18 years of age shall mean and include:

a. Portrayal in still or motion pictures or similar representation of any person or persons of the age of puberty or older, posed or presented in such a manner as to exploit lust for commercial gain and which would appeal to the lust of persons under the age of 18 years or to their curiosity as to sex or to the anatomical differences between the sexes and which shows, depicts or reveals such persons or persons:

(1) with less than a fully opaque covering of his or her genitals, pubic areas or buttocks, and, if that person is a female, with less than a fully opaque covering of any portion of the breast below a point immediately above the top of the areola, or

(2) engaged in an act or acts of masturbation, homosexuality, or sexual intercourse, or in physical contact with another person's genitals, pubic areas, buttock or buttocks or the breast of a female, or

(3) in a posture or way that the viewer's attention or concentration is primarily focused on that person's or those persons' genitals, pubic areas, buttock or buttocks, female breast or breasts, even if those portions of the anatomy are covered, or

b. Any book, "pocket book," pamphlet or magazine, phonograph record, tape or similar electronic reproduction of sound, containing details, descriptions, or narrative accounts of:

(1) the genitals in a state or condition of sexual stimulation or arousal, or

(2) acts of masturbation, or

(3) acts of homosexuality, or

(4) acts of sexual intercourse, or

(5) acts of physical contact with another person's genitals, pubic areas, buttocks or buttock or the breast or breasts of a female, which contact is made in an act of sexual stimulation, gratification or perversion, which details, descriptions or narrative accounts are written or presented in such a manner as to exploit lust for commercial gain and which would appeal to the lust of persons under the age of 18 years or to their curiosity as to sex or to the anatomical differences between the sexes and which are to be distinguished from flat and factual statements of the facts, causes, functions or purposes of the subject of the writing or presentation, such as would be found in bona fide medical or biological textbooks.

2. If any part or provision of this act or its application to any person or circumstances is for any reason adjudged invalid or unconstitutional by a court of competent jurisdiction, such judgment shall be limited in its effect to the facts involved in the controversy in which such judgment shall have been rendered and shall not affect the validity of the remainder of this act or its application to other persons and circumstances.

3. This act shall take effect immediately.

APPENDIX 3

NEW JERSEY COMMITTEE FOR THE RIGHT TO READ

MENTAL HEALTH EFFECTS OF OBSCENITY LEGISLATION

1. In your own practice, have you ever had a patient (patients) whose behavior was otherwise within a normal range, who was (were) provoked into anti-social behavior primarily as a result of exposure to sexually oriented literature?
Yes..... No.....

If your answer to the above is yes, will you tell us if you regard the incidence of such cases to be statistically significant?.....

2. Do you believe that sexually oriented materials of the general variety described in A-768 might have a value for some individuals, and might in these cases serve to minimize anti-social behavior by providing a vicarious outlet?
Yes..... No.....

3. Do you believe that the official exclusion or separation of such materials in libraries and retail stores will be beneficial in encouraging a healthy and accurate view of sex by the young person? Yes..... No.....

4. Do you believe the passage of such legislation would contribute to the general improvement of mental health in juveniles? Yes..... No.....

5. Do you think that the official concealment of sexual and anatomical information might tend to promote a pathological degree of curiosity and injudicious experimentation in the inexperienced? Yes..... No.....

6. Do you believe there should be any limitations as to what reading material is available to persons under 18 years of age? Yes..... No.....

7. If your answer to the above is yes, do you think the limitations should be imposed by:

.....Determinations by local law enforcement officials
.....State or other Legislative action
.....Specially constituted mental health agencies
.....Librarians, teachers, other specialists in literary values
.....Parental decisions within the family
.....Other .....

8. Pressures against obscenity are usually raised in the interest of youth. In your opinion, since state funds are to be appropriated, where may funds best be spent in the interest of improving "youth's" situation?
.....Eliminating obscenity .....Other:.....

9. Will you describe your professional area briefly? Please check:
.....Clinical practice, adults .....Cl. practice, childr. and adults
.....Cl. practice, children and adolesc. .....Other.....

10 May we use your name in connection with testimony before the legislature or in other public statements? (nothing will be used out of context).
Yes..... No.....

Signed: .....

(Please use other side, or attach sheets for additional comments)

APPENDIX 4

RELATED COMMENTS

A number of factors imposed considerable limitations on the scope of the questionnaire that was used. However, many psychiatrists and psychologists appended amplifying statements which give emphasis and clarity to the many facets of the issues involved. In every case where the respondent replied giving the NJCRR permission to identify him with his comments, names are included. We have observed the directive of those who requested that we print their comments anonymously. All such statements are included in this section.

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1. My basic objection to all such laws and attempts at control of sexual material and information is the underlying attitude that sex is dirty, to be hidden, frightening and somehow not good — all negative values — that are completely denied in the privacy of every "do-gooders" own sexual behavior, or in the self-righteous attitude they have concerning their own "clean" thoughts and acts.

It is time we admitted that sex has another side — good, loving, self-fulfilling, satisfying — and FUN. When we teach about sex in a healthy way — and really communicate healthy attitudes — all the literature printed will have no more effect than any other good or poor entertainment.

Doris Rothman, M. Ed.

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2. In response to Question 8. 1 Sex education in the school taught by well qualified persons so that sex does not become =○= of smut. Funds for psychological help (whether psychologist or psychiatrist) for youngsters who are in need of it but unable to obtain it.

Rebecca Snyder, Ph. D.

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3. Parents should decide, *if they wish*, what their children read.

Gloria A. Butler, M. A.

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4. I am most grateful to have had this opportunity to respond to this questionnaire, and appreciate the work of those who have contributed to it.

A number of us in Somerset County—of different faiths (or lack of them)— found ourselves informally banding together on several instances about a year ago.

A sort of "preliminary" meeting had been announced in the meeting hall of the Neshanic Reformed Church, evidently for the purpose of organizing a censorship group. Some people attacked the legal end of this, and I attempted to talk of the "psychological" aspects.

Later on, the same group had access to the Hillsborough PTA and presented a program. Again, people were present to object to this. I forget the name of it (you probably know what I'm talking about), but they showed a movie which I can't help

but refer to as being a "dirty picture", especially when it pretends to be the truth, and also implies that looking at pornography made a teen-age boy commit rape and murder. As we know, this was a misleading "half truth", inasmuch as the boy's whole background was not presented — the probability being that an understanding of this would be significant in accounting for the crime. I considered it to be unwise for parents to be exposed to a movie of this sort, without a thorough explanation of its falseness.

I did not attend another meeting of this group, but—as usual—they attempted to curb discussion by not allowing extended questions, answers and comments To close this meeting—at the County Administration Building—they announced that the building had to be vacated by ten o'clock. The following day the chief freeholder denied that there was any truth to the latter.

I would not wish for a moment to promote myself as an authority on criminal sexual behavior; I'm not. But certainly I'm extremely well involved with a particular sex criminal who, aside from extended contacts with me as therapist in a community mental clinic, has also been at Menlo Park, Jamesburg, and Trenton State! On the basis of my knowledge of this case, I would wish to say that the various proposed censorship laws are NOT SUFFICIENTLY BROAD AND ADEQUATE to have been of help to this fellow. Any laws, to be helpful, would have to forbid all illustrated advertising of brassieres, corsets, and girdles. In fact, all women would have to dress as nuns—or close to it.

Edwin de T. Kooser, M.A.

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5. I have for the past 12 years worked extensively with adolescents -- emotionally disturbed, delinquents, brain injured — the whole range. I have yet to encounter a single case where harm was done to a child because he was reading pornographic material. As a matter of fact, the children I have seen who were the worst cases of sexually acting out i.e. those who have committed sexual crimes or exposed themselves in public or who were sexual deviants to the point of being harmful to others, had little or no contact with pornography. They started to get better when they began to read pornography.

Sol Gordon, Ph.D.

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6. I feel that emphasis on banning anything may add to the interest in knowing about the "banned", but with opportunity to question and be answered *honestly* children are very responsive, interested and intelligent about their normal curiosity in regard to reproduction and proper respect for their own and other's bodies!

Guidance and counseling without censor seems to be a more wholesome approach! Through *knowledge*, the lure of the mysterious is minimized.

Elizabeth M. Junken, Ph.D

7. Sexually stimulating materials of the kind described in the proposed legislation could conceivably be quite *useful* for helping people to develop a normal direction to their sexual drives. Fantasy is an important factor in sexual interest and satisfaction, and materials which encourage fantasies of normal sexual relationships should be encouraged. I am opposed to this bill because it would suppress such material.

Another reason for opposing this bill is that it would present a direct impediment to my practice with adolescent boys, who are familiar with the many popular magazines which feature nudes, who experience varying degrees of anxiety about sex, and who want factual answers to questions about sex. In my experience, when these children have been allowed to indulge their curiosity and get straight answers to their questions, their interest in sexual matters *decreases* and takes a position of lesser importance than it had before they had had the opportunity for answers to their questions.

Psychologist, Ph.D

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8. I would be opposed to the passage of this bill as now worded. It is too broad and could lead to much repressive censorship by well-intended but non-scientifically informed persons, which situation is a prevailing and constant threat to our basic freedoms.

I would not object to Section (2) of "a" and would assume that this is covered under existing laws concerning "hard-core" pornography.

There are many inherent difficulties and dangers in such a bill (even the recent Supreme Court decisions in the Ralph Ginzburg case had four dissenting opinions).

1. Who is to judge and by what criteria, the true motivations of publishers?

2. This type of suppressive legislation tends to heighten interest and curiosity among the immature and gullible, i.e. what is forbidden arouses interest.

3. By making something that some people want illegal, we invite "illicit" traffic by the criminal element, as has happened, for example, with narcotics, prostitution, etc.

Legislators would do well to seek testimony by experts on the conditions which breed sexual (and other) acting out and also to attend to the available research evidence on purported causal relations between erotica and sex crimes.

Donald T. Tomblen, Ph. D.

9. In my opinion, censorship laws are bad for the population as a whole, *on balance*. The principle that a few know what's best for the many is undemocratic, and its implementation generally leads to widespread discontent.

My further opinion is that laws designed to regulate sex behavior are bad except as they are directed against coercion, physical damage, public nuisance, or deviant behavior involving young children.

Henry B. Matty, Ph.D

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10. Reference to 6. I believe that other parents have a right to limit reading material for their own children if their judgement or morals so dictate.

Edward S. Butler, Ph.D

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11. #4. Seriously question if treating the symptoms will change mental health. One can argue from research that mental health is set by age 5 or 6 and that obscenity legislation will not change this — only early education. Sexual curiosity should not be confused with prurient interests bred from poor educational methods

Psychologist

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12. Enforcement (or enhancement) of morality by legislation or extension of police powers might merit support if it worked — but it doesn't.

Those of us who deplore the consequences of alcoholism, drug addiction, prostitution, etc. upon individuals, families, and society generally have witnessed the ineffectiveness of legal intervention as a controlling or preventive influence.

To curb a type of social behavior that is reprehensible, make it unpopular rather than illegal. Mores are not capable of being violated with impunity, contrasting widely from laws; neither are they easily evaded or disregarded. And when one commits a "faux pas" of a serious nature, no high pressure appeal by a high priced attorney can move a naive judge or jury to reduce or waive the penalty. Such "mistakes" are not likely to be repeated by rational individuals. And what law ever curbed an irrational child or adult?

Psychologist

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13. While I believe that some selectivity would be desirable, I do not see any way in which censorship could be effective without violation of basic liberties. I also have little faith in the ability of censorship enforcement officials to *select* media which give a distorted picture of reality. In other words, I wish the kind of portrayal of life could be improved, but I think this should be done by introducing better literature and programs, not banning what there is. I also feel that direct pornography is less harmful than messages which indicate that sexual deceit or intolerant manipulations lead to desired goals.

Virginia Revere, M.A.

14. My principal objections to the bill in question are primarily based on my belief in the dangers in any kind of government censorship.

In addition, some of the provisions of the bill seem particularly inane, e. g. . . . "or to their curiosity as to sex or to the anatomcial differences between the sexes . . .". As a reasonably informed parent and teacher, I know of no evidence whatsoever that a direct causal relationship exists between reading certain publications and anti-social behavior. On the other hand, I do believe that sexual behavior may indeed be stimulated by reading about sex, as well as by movies, plays, and less directly, by music. Also by flowers, food, birds, and sunshine. To single out "hard core pornography" as a stimulant to anti-social behavior seems kind of silly. After all, the most powerful stimulant to most people is a real live person of the opposite sex. If sex, per se, is anti-social, then certain kinds of reading matter may be causally related to anti-social behavior. I do not view sexual behavior as anti-social, per se, and do not believe reading matter is causally related to anything more than the rate, or frequency, of behavior already performed by the reader.

Sam Glucksberg, Ph.D.

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15. I am not certain how applicable this proposed legislation will be to the use of tests containing such materials, but, having reviewed several test batteries in the area of health sciences, I should like to indicate that such may be the case. (Specifically, the College Health Knowledge Test, published by the Stanford University Press, which is reviewed on pages 718-720 of Buro's Sixth Mental Measurement Yearbook, contains such questions as "The delay of sexual relations after biological maturity causes no mental or physical ill effects. (Item 58) and "Sexual promiscuity is properly considered as being a physical and psychological hazard." (Item 60))

Without commenting on the validity of the test items, which are true and false types, it should appear to me that the test itself might come under the provisions of this legislation simply on the basis of content. (The key supplied by the publisher, incidentally, indicates that the "correct" respone to both questions is true!)

Psychologist, Ph.D.

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16. Question 8. Much more money should be spent on education. We need more male teachers especially for boys at a certain age who ought to identify with a man and cannot because there is no one to identify with. Also more money should be spent on educational material such as exhibitions in museums, etc. to tell the facts of life.

I do not think that any new and restricting legislation is desirable in this area. But I do believe that children do need guidance in this area by understanding and trusted adults who should be given some help in this task if possible.

Peter Baumecker, M.D.

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17. Question 6. Educators and parents can appropriately set limits. I would question the advisability of assigning "Mr. Madam" as a 5th grade reader.

Psychiatrist

18. The proposed no. 768 is much too restrictive.

Psychiatrist

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19. Briefly, in my experience, the seeking after pornography of any consequence is the result of psychopathology rather than the reverse. Those who read and speak are not those who are inclined to commit sexual crimes. Normal individuals become bored with pornography and repelled by representations of perversions, and if pornography were freely accessible, I believe that its appeal would depend on its artistry.

B. J. Bernstein, M.D.

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20. From 1954 to 1958 I was on the Psychiatric staff of the New Jersey State Diagnostic Center in Menlo Park. During that time, I examined hundreds of adolescent boys and girls on the in-and out-patient services. All of them had been referred because of mental illness and/or delinquent behavior, and many of them had been involved in premature or abnormal sexual activities. I do not recall a single case examined by me or presented at staff conferences by any other member of the staff in which sexually oriented publications, photographs, films or other materials played a discernible part in the development of the youngster's disorder.

Milton D. Fox, M.D.

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21. The sexual offenders I have seen in 20 years of practice have been, without exception, shy, ignorant, bumbling middle-aged men, active in church, scouts or some such organization stressing a sort of ideal conduct. It is conceivable that if they had been exposed, thru reading material, to some sexual experience they wouldn't have been so inadvertently offensive.

Those who have been caught collecting or carrying pornographia have been using it as a substitute for adultery, being highly interested in sexual gratification but having quite ungratifying wives.

The younger, brutal sex offenders have so far not come to my attention, but their victims have. These characters tend to operate in groups, with alcohol or drugs, and tend to inflame each other. The problem here is not their pleasure in sex but their callous utilization of another person (boy or girl) for kicks. Pornography has little relevance here.

In my opinion, pornography is not the cause of the sickening state of our adult society's sexual attitudes (Tennessee Williams, Edward Albee, Henry Miller, DeSade, Burroughs, Genet, Becket, Selby), but possibly the lack of it, leaving the field to these influential perverts and misanthropes.

Robert J. Van Amberg, M.D.

22. Many of the questions raised are extremely difficult to answer, both because of the wording of the questions, and because of the lack of objective data on the subject. It is extremely dangerous to make broad generalizations on this subject and very easy to fall into valuing unsupported subjective judgements.

Also, your questionnaire does not get to an issue which may be of even greater importance — even to mental helath. This is the issue of the morality, efficacy, and (mental health) effect of *any* governmental censorship.

Eugene V. Resnick, M. D

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23. With reference to questions 2 and 3, I do not believe these have answers in the form of either "yes" or "no". Such answers tend to miss the central core of the problem of anti-social behavior and mental health. Obscene or pornographic materials per se can serve the needs of individuals negatively only if such needs have a pathological character to begin with. Those who are relatively well-adjusted juveniles will have no need to use sexually oriented literature in the service of anti-social behavior, vicarious outlets or to reinforce a healthy outlook. Simply put, individuals will react to sexually oriented literature with whatever formed or developing attitudes they have towards relationships and society as a whole, for better or for worse.

Charles R. Roberts, M. D.

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24. I have undoubtedly given ambiguous answers to what I consider to be incomplete questions. Your list would be adequate for me if I thought the issues were to decide about restrictions in a society where stable doses of all activities occurred and exploitation of humans by humans were not at issue. Then I would vote for no restraint on drugs, on advertising or on obscene literature. Our children should face them all and learn to handle them. Unfortunately excesses of many activities can be provoked in some categories of humans' financial gain of others. Hence I am in favor of restraint on the pusher of drugs, on the pusher of alcohol, on the exploitative advertiser, and on the publisher of obscenity for captivation of some adolescent audiences.

Restrictive legislation does produce its own problems and it should always be minimal but I do feel there are drug addicts who would not be addicted without the pusher.

Also, I am sure there are venereal diseased and unwed pregnants who would not be so without the additional pressure of the sellers of such literature and the sex "pushers" who use it.

Jay Fidler, M. D.

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25. I believe that "family living" or psychology courses taught in the schools by qualified personnel could do more to help alleviate anti-social behavior than the passage of this legislation.

Also, if tax money is to be used, I would like to see some of it channeled into "community education" programs for adults.

This type of social problem is related to personality adjustment which must be dealt with at the home-school-community level. Obscenity legislation, in my opinion, is not preventive or corrective.

Richard Byham, Psychologist

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26. I suppose the main problem with such a law is whether its application will result in even less adequate information in the area of sexuality than we have at the present time. The idea of using such materials "to exploit lust for commercial gain" is repugnant to most of us in the field and I would think any such obvious pornographic materials can and are readily excluded from the hands of both adults and children— though I'm sure material gets about rather extensively on a sub rosa basis. In my own work, however, I have no direct acquaintance with the kind of material which this law is designed to deal with and I really do not know very much of its nature or effects.

It seemed to me that the law is designed to deal with the extremes of pornography whereas the questionnaire is concerned with the area of education and information, presumably to be of use in the instruction and sexual development of youth. I would certainly doubt whether the youth of this geographical area have in any way too much reliable, meaningful, appropriate, and useful material in the area of heterosexual relations in general and sexual expression in particular.

Of course the question of pornography involves in many important ways general considerations of values, of social climate, of conceptions of education, and attitudes toward sexuality. All of these vary dramatically from geographic area to geographic area, institution to institution, socio-economic strata, to socio-economic strata, etc. Any law involving "pornography" should certainly take into account the changing ethical climate of people, areas, and the whole culture.

Tom Davis, Ph.D.

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27. As clinical psychologist at Essex County Youth House 1962-65, I had occasion to examine intensively about 600 children ages 8 — 17. I recall not one single case where "obscene literature" figured either primarily or at all in delinquent conduct. On the other hand, scenes in motion pictures and T. V. in which persons engaged in direct physical violence, including brutality and fighting, played a significant role in the thoughts and play activity of a good number of children with whom I worked.

This seemed particularly true of the younger ones (9-13). As only an approximate guess, I reckon about one in twenty children might have responded using such a fantasy at times. On the other side of the problem, I feel most strongly that the problems associated with *apprehended* and incarcerated children in this populous county were never demonstrated to be associated with obscene or sadistic literature per se. There were certain authorities, however, whose use of "punishment assignments" (e. g. *I shall respect private property* 1000 times) served to encourage disrespect and cynicism for the written word.

Gerald Gelber, Ph.D.

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28. As a father of two teen-age children (girls), a practicing clinical psychologist, professor of psychology, and an individual who has worked with delinquents and children — present legal move a stupid one and going backward from all we know about crime, delinquency, and psychiatry.

Richard Nice, M.A.

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29. In order to insure the optimum development of youth, it would be necessary to weed out of society, and of the legislature, those proponents of censorship and of oppression which would deny democratic freedom of choice.

Marie T. McCarthy, M.A.

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30. Question 7. Parental decision within the family — definitely — and the only workable solution — all others represent censorship and the opportunity to develop and exert an "official" rationalization of personal bias, without *a priori* guarantee of its "healthiness".

Psychologist

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31. I find the questionnaire that you forwarded to me quite biased in its construction, and I would assume that the purpose for this biasing is an attempt to obtain responses from mental health professionals in favor of your viewpoint. If I may exemplify this by using a similar problem, the driving age, perhaps you will understand my point. It would be extremely unlikely that a practicing psychiatrist would concern himself, in seeing emotionally disturbed children or adolescents, as to the details of their pornographic reading, so that in all likelihood, you would obtain an overwhelming NO vote on this, which would actually be quite meaningless. In the same context, if

your question asked had I ever seen a patient who was provoked into anti-social behavior primarily as a result of being taught to drive prior to the age of seventeen, I would similarly have to answer NO. Most people, however, would agree that some age after sixteen or seventeen is the necessary driving age, since the majority of children are not sufficiently responsible to be trusted with driving automobiles prior to this age, even though there may be some who are quite sufficiently responsible to be so trusted. Also, one might say that sexually provocative literature would be only one portion of a causative milieu, and hardly likely to be the total cause of delinquency although it might be a significant contributory cause.

The second question has the same objection, since there might be some children who, if they were able to learn to drive earlier than sixteen, might thereby avoid getting into delinquencies such as stealing automobiles, which they would get into were they not allowed to drive under careful supervision. This, of course, does not imply that the driver's age should be lowered, nor does it necessarily imply that since some individuals might conceivably (and only conceivably) gain a vicarious outlet from pornography, that this would mean that pornography should be condoned for the majority.

Question #5 is particularly biased since it implies that the suppression of pornography is necessarily the suppression of anatomical and sexual information of all types. As I read the law it is specifically written with the objective of promoting healthful dissemination of sexual and anatomical information, and prohibiting other types.

Question #7 is also difficult to answer because obviously different people will habe to be concerned with determining reading matter in different situations. I fully believe that educators and teacher should have an important role in deciding what literature should be present in the school libraries (I believe the parents should have a role, too, in saying what their children are permitted to read), and that law enforcement officials must be responsible for determining the availability of pornography in newsstands and on the street.

#8 again is an all-or-none question. I feel that the elimination, where feasible and practicable, of prurient stimulations, is desirable, but I also regard it as only a small portion of the help that should be extended to our troubled youth.

I read into your letter a concern with total permissiveness, which I sometimes see in sophisticated parents, and I find this total permissiveness just as harmful to children as total autocracy. The law appears sound to me as written.

Yours truly,

George A, Rogers

George A. Rogers, M. D.

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32. Apply funds to: 1. Training for jobs, 2. Special education to help alienated young people to relate better to adult society, 3. Family psychotherapy.

Psychiatrist

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33. Official concealment of sexual and anatomical information might intensify normal curiosity and efforts to satisfy it.

Psychiatrist

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34. State funds may best be spent in the interest of improving "youth's" situation on preventive measures, such as parent-group education, and all other methods helping to improve parent-child relationships.

Psychiatrist

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35. There is a difference between 5 and primarily arousing material such as paperbacks produced and exhibited for eye-catching and quick profit.

Psychiatrist

36. I am much more concerned with sadism then obscenity. The graphic depiction of acts brutality, especially on television — with details, sounds, etc., appears to me to be far more of a threat to sound living, healthy attitudes and relationships than a bare bottom.

I also wonder at line 7 of the Bill — "exploit lust for commercial gain" — How this would affect some of the advertising campaigns. The wording of the Bill is a bit too general and vague. If a pretty girl sells automobiles, does this fall under the province of this bill?

Psychiatrist

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37. We have obscenity or pornography because we dont have a decent, all embracing program of lecturing, information and (illegible) of sex-love realities. realities.

Psychiatrist

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38. I am unalterably opposed to censorship of any sort because I believe it is a threat to civil liberty and to democratic processes. Book-burning is not a path that a democracy can safely take.

I have worked with both delinquent girls and delinquent boys. Most of them have been almost complete non-readers. They did not read pornographic literature any more than they read *Saturday Review of Literature*. These youngsters received their criminal education from their families and social milieus and not from books.

At one point, I worked with 200 adolescent girls who had been placed in a correctional institution because of prostitution. These girls had been removed from their parent's custody because the parents had been instrumental in teaching them to be prostitutes. These parents did not use books to teach the girls; they used more direct methods of instruction.

I have watched my own children's reactions to scenes of violence on TV. Many times I have seen them hide their eyes when they were smaller because the violence horrified and frightened them. Because such violence was foreign to their personality as it had developed within the framework of their family and social milieu. they could not tolerate it. It is my firm conclusion after 30 years of experience working with children that anti-social behavior is rooted in family life and in society.

When my oldest girl became a Merit Scholar, Educational Testing Service at Princeton sent her a questionnaire which asked her to account for her success as a scholar. The first point she mentioned was her free, uncensored access to books of all sorts. It never occurred to me to limit my children's experience because I cannot believe that anything they would see, read, or hear would affect their standards of behavior which have been built in over the years. By the same token, I am just as convinced that no witholding of pornographic literature would have prevented the girls mentioned above from becoming prostitutes when their family and the society around them were exerting pressure in this direction.

Censorship of this sort is either a naive, uninformed action on the part of legislators or else a deliberate attempt to side-step facing the real issues. It is certainly easier to formulate this kind of law than to formulate laws and plans for solving the real issues. Some of our legislators may be that naive; I feel sure some must be sophisticated enough to see this as a sop that can be thrown to the public opinion. I hope at least some of them view censorship as the menace it is.

I strenuously object as a taxpayer in this state to appropriations of public money to carry out this type of diversionary and meaningless activity. Any extra money the state has lying around to combat crime can be put to much better use fighting social conditions that do produce crimes and criminals.

Psychologist

39. I would have to say yes for a very few cases, but the very type must be known, eg. Some of the issues of *Life* portraying the birth of a child can be helpful. What I mean by obscenity is literature definitely planned to arouse unhealthy thoughts and attitudes.

Certainly some of the most beautiful sculpture, eg. David should be part of the heritage of every child.

We do not want puritanism, nor do we want material available that will distort the beauty and sacredness of sex. Certainly purveyors of the latter type should be stopped — but we should aim for a middle road position. The difficulty comes in interpreting what is meant by "appealing to the lust". Most rational people capable of sound judgement should make proper appraisals but some might use this criteria to judge "David".

Psychologist

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40. Here we go again. The entire process is rather stupid — as it is adults who present and supply the material — change the adults and leave the youths alone!

Psychologist

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41. I assume your committee is against A-768. So am I, but I am not sure whether for the same reasons. Rather than answer your questionnaire, I prefer to give you a brief statement of my position.

I think the proponents of this bill are people with rigid, repressive attitudes, who would not blanch at the prospect of "tyranny of the majority". Moreover, they have limited, "pat" views on the psychic structure of Man in general, and sexual organization in particular. Thus they have "an axe to grind" in this legislation, and it is not surprising that they should seize on the flimsy evidence of law enforcement people.

However, it is just barely possible that there is an opposite group of people who have a neurotic fear of any limitation. They too may have "an axe to grind". and are in danger of promoting equally dangerous nonsense (as suggested in question No. 2 and No. 5)

There is no doubt in my mind that A-756 would be sheer disaster. However, it is not enough to defeat it, using any sophistry. It wouldn't settle the basic controversy and A-769 would crop up next year. I have had an opportunity to thinka little about the basic problems, having testified in a number of court actions involving pornography.

I would welcome the opportunity to take an active part in defeating this legislation, but more than that, to solve the basic problem once and for all. Of course, any work by me would have to be as an individual, and not as spokesman for, or representative of, your Committee.

Psychiatrist

42. I have not given this matter any professional attention and am not familiar with the materials in question except for the relatively mild stuff one sees on stands (Playboy and the like). Therefore, I would not care to be quoted as a competent witness.

Much as I find pornography distasteful personally and regrettable culturally, the alternatives appear even more distasteful, since it seems impossible to draw a line between censoring pornography and censoring literature, the arts, etc. Therefore, all official attempts seem futile, and one has to leave appropriate controls to each family's informal pressure, and perhaps to the community's sense of what is in good taste, socially desirable, etc.

Psychologist, Ph.D

43. Any limitations as to what reading material is available should be the same as for people over 18.

Psychologist, Ph.D

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44. State funds should be spent making and distributing films on factual sex behavior.

Psychologist, Ph.D

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45. "What God wasn't ashamed to create MAN SHOULDN'T be ashamed of." This slightly garbled quote summarizes my feeling about the matter. The cloaking of sex in secrecy makes it obscene. If we were more free and frank there would be no pornography. I have taught in private schools where little boys and girls dressed together and there was no need for sneaking or peeking. The children treated sex differences as they treated the differences in size and coloring. Interesting but not a matter of emotion.

As I read the proposed bill, it seems well calculated to stimulate sex curiosity and start a flourishing under-the-counter trade in dirty literature. We are adding the charm of forbidden fruit to the whole problem.

Psychologist

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46. As beauty is in the eye of the beholder . . . so is response to stimulation in the beholder's perception . . . .

Psychologist, Ph.D

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47. From the wording of the questionnaire, I take it that the Committee would approve of no or very loose restrictions.

Psychologist, Ph.D

48. Passage of legislation such as A-768 would definitely be harmful.

Psychologist, Ph.D

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49. I feel children vary in the degree to which they are influenced by reading material. I am inclined to think that emotionally healthy children would receive vicarious pleasure, whereas an emotionally unheathy one *might* tend to get stimulated to a point where he would have little control over his acting out of impulses. It would depend on the type of individual he was and the usual method he employed in handling impulses. I don't believe we can have one rule which would apply to all children and adolescents.

Psychologist

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50. Questions No. 2 and No. 8 are cleverly designed to elicit only one kind of response.

Psychologist

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51. This kind of bill is counter to the basic ideals of our democratic society.

Psychologist, Ph.D

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52. P. S. I could readily comment at length on each of the foregoing items, but I hesitate to do so, since I am only protected by a promise in No. 10 which, in the present stage of moral evolution may or may not be sufficiently honored.

We are well on the way to evoking a terrifying facsimile of Huxley's BRAVE NEW WORLD in the soulless, streamlined libertarian Eden that is promised us in the name of unrestrained liberty. Huxley gives us a Paradise where erotic play is a legal must for children of both sexes, where "father" and "mother" are obscene words, and where pornography is a way of life. We have not yet "advanced" so far. As yet, we are only in the super-permissive stage, where freedom is confused with license and where propriety is labeled prudery.

Whatever we can do to give Americans a sense of responsibility for the common good will halt the decadence already so much in evidence. We pontificate so readily and eloquently about rights, at the same time neglecting to admit that every right has its corresponding duty, which also cries for recognition. I have the right to life; you have the corresponding duty to respect that right. I have the right to moral integrity; you have the duty to withold whatever may threaten that right, as far as circumstances make you responsible. I have the right to my private life; you have the duty to respect my wish for privacy. In this connection I would like to mention a matter that has particular relevance to the smut problem. Parents often have the privacy of their homes assailed by those who use the mails to distribute unwanted pornographic literature. These purveyors of smut force an entrance where they are not wanted. This is as much a violation of the right to privacy as the use of physical violence to force an entrance. Some legislation should be forthcoming to protect our citizenry against such effrontery. Perhaps a license or some other deterrent might be required for the sail of mailing lists. There might be a clause in mail order buying indicating that the purchaser is not averse to having his name sold to other business establishments, with special reference being made to smut purveyors. Perhaps something like this:

> I hereby assert that I am willing to have my name placed on the mailing lists of all and sundry business firms to which the present merchant may sell them, not excluding those dealing in pornographic material.

Such a procedure might make both buyer and seller a bit more cautious, when they realize the implications of indiscriminate availability of mailing lists. Incidentally, I would be interested in knowing where you secured my name, since I do not usually sign my name in this way and it is not entered thus on the voting register.

The enclosed brochure contains reference to the rejection of the "outlet" argument by two psychiatrists. Page three carries a letter from a homosexual which may be of interest. Much research can be geared to eventuate in the desired outcomes as any statistician can confirm. Statistics from any study can be manipulated.

Sister Mary Celestine (Hoedel), Ph.D

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53. I do not favor ignoring attempts by unprincipled operators to profit from the prurient interests of the young or the mentally defective, but I'm not at all sure of the best ways to prevent it.

Psychologist

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54. To sum up, it appears to me that education, not legislation may offer an answer to the "evil effects of pornography."

Psychologist

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55. Thanks for the opportunity to put in a word against A-768. This is a dangerous bill which would contribute a serious step backward. Hard-core pornography has little or no appeal to reasonably mature and informed people. Efforts at suppression of "obscenity" would better be directed toward increased sex education in the elementary school grades and at home.

Psychologist, Ph.D

New Jersey Committee For The Right To Read

Constitution and By-Laws

PREAMBLE

The New Jersey Committee for the Right to Read has been organized to give vocal expression to a growing concern over the recent outbreaks of extra-legal censorship.

We believe that citizens of the State of New Jersey must be aroused to defend the fredom to read — the right to read — lest it be lost through indifference.

We believe that this end can best be served by bringing to the attention of the public all attempts to erode this freedom and by promoting a community spirit receptive to all ideas, secure in our conviction that the growth and development of a democracy depends upon the free flow of information.

NAME

This organization shall be known as the New Jersey Committee for the Right to Read.

AIMS AND PURPOSES

The aims and purposes of the New Jersey Committee for the Right to Read, consistent with the beliefs stated above include the following areas:

(a) Promote the free dissemination and availability of all reading material in accordance with the principles of a free press in a free society.

(b) Oppose all forms of extra-legal censorship by insisting that strict adherence to fundamental due process of law be observed by all individuals or groups of individuals seeking redress on reading material which they consider objectionable.

The committee shall pursue the following activities of achieve its goals:

(a) Act in an advisory capacity for the formation of local groups in sympathy with these aims.

(b) Amass all data pertinent to the growth of censorship in the state, legal and extra-legal, and make the information available to citizens, organizations and public officials.

(c). Present community education programs including publication of the READER'S RIGHT; speakers conversant on the problems of censorship and civil liberties; and open forums that would encourage a wide range of inquiry and expression.

(d) Translate as effectively as possible the antipathy we hold for an atmosphere inimical to free expression by registering our support for the right of the author to explore whatever views his creativity impels; the publisher to print and the agencies of outlet to disseminate the products of such exploration.

(e) Recognize and support the intellectual needs of a community and promote the development of excellent reading facilities for the public.

NJCRR
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